

AMENDED IN ASSEMBLY MAY 2, 2005

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

ASSEMBLY BILL

No. 1640

Introduced by Assembly Member Saldana

February 22, 2005

An act to add Section 791.28 to the Insurance Code, relating to insurance claims information.

LEGISLATIVE COUNSEL'S DIGEST

AB 1640, as amended, Saldana. Insurance claims information.

Existing law generally regulates how insurers maintain information related to adverse underwriting decisions.

This bill would require any insurer who issues a policy of insurance covering ~~repair or reconstruction work on residential real property~~ shall, ~~to provide the insured with a copy of any claim report the insurer is submitting for inclusion in any claims information database within 30 days of the conclusion of the claim~~ *residential property, if it reports claims history or loss experience to a claims information database, to provide the insured, within a certain period, with a specified disclosure regarding contacting the claims information database.*

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 791.28 is added to the Insurance Code,
- 2 to read:
- 3 791.28. ~~Any insurer who issues a policy of insurance~~
- 4 ~~covering repair or reconstruction work on residential real~~

1 ~~property shall provide the insured with a copy of any claim report~~
2 ~~the insurer is submitting for inclusion in any claims information~~
3 ~~database within 30 days of the conclusion of the claim. An~~
4 ~~insurer under a personal lines residential property insurance~~
5 ~~policy, if it reports the claims history or loss experience of~~
6 ~~insureds under such policies to a claims information database,~~
7 ~~shall provide the insured with the following additional disclosure~~
8 ~~at the time that it provides the disclosure required pursuant to~~
9 ~~paragraph (1) of subdivision (b) of Section 790.034:~~

10 “This insurer reports claim information to one or more claims
11 information databases. The claim information is used to furnish
12 loss history reports to insurers. If you are interested in obtaining
13 a report from a claims information database, you may do so by
14 contacting:

15 (Insert the name, toll-free telephone number, and, if
16 applicable, Internet Web site address of each claims information
17 database to which the insurer reports the information covered by
18 this section)”